

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

**McDonnell Crowley, LLC**

115 Maple Avenue – Suite 201

Red Bank, NJ 07701

(732) 383-7233

bcrowley@mcdonnellcrowley.com

Brian T. Crowley (BC2778)

*Counsel to John M. McDonnell,*

*Chapter 7 Trustee*

In re:

VICTOR PADRON and  
FRANCISCA PADRON,

Debtors.

Case No. 11-44600 (KCF)

Honorable Kathryn C. Ferguson

Chapter 7

Recommended Local Form:

☒ Followed

☐ Modified

**APPLICATION FOR RETENTION OF SPECIAL LITIGATION COUNSEL  
AND CERTIFICATE OF COMPLIANCE WITH D.N.J. LBR 2014-1(a)**

1. The applicant, John M. McDonnell, is the

☒ Trustee: ☒ Chap. 7 ☐ Chap. 11 ☐ Chap. 13.

☐ Debtor: ☐ Chap. 11 ☐ Chap. 13

☐ Official Committee of \_\_\_\_\_

2. The applicant seeks to retain the following professional, Pellettieri, Rabsetin & Altman, (“PRA”), to serve as:

☐ Attorney for: ☐ Trustee ☐ Debtor-in-Possession

☐ Official Committee of \_\_\_\_\_

☐ Accountant for: ☐ Trustee ☐ Debtor-in-possession

☐ Official Committee of \_\_\_\_\_

☒ Other Professional:

☐ Realtor ☐ Appraiser ☒ Special Litigation Counsel

☐ Auctioneer ☐ Other (specify): \_\_\_\_\_

3. The employment of the professional is necessary because the Trustee requires counsel to render legal services in connection with a legal action captioned Padron v. West Windsor Parking, Case No. MER-L-1245-11, now pending in the Superior Court of New Jersey, Mercer County (the "Litigation").

4. The professional has been selected on the basis of its considerable experience in litigation. The Trustee believes that PRA is well qualified to serve as special litigation counsel in this Chapter 7 case.

5. The professional services to be rendered are as follows:

Represent the Chapter 7 Trustee in regards to the Litigation.

6. The proposed arrangement for compensation is as follows:

The fees charged by PRA in connection with the Litigation are one-third (1/3) of any settlement or recovery realized for the Debtors' estates after reimbursement to the firm for all reasonable out-of-pocket costs and expenses pursuant to N.J. Court Rule 1:21-7. If there is no recovery made, then special counsel is not entitled to reimbursement as described above.

7. To the best of the applicant's knowledge, the professional's connection with the debtors, creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, is as follows:

☒ None

☐ Describe connection:

8. To the best of the applicant's knowledge, the professional (check all that apply):

☒ does not hold an adverse interest to the estate.

☒ does not represent an adverse interest to the estate.

☒ is a disinterested person under 11 U.S.C. § 101(14).

☒ does not represent or hold any interest adverse to the debtors or the estate with respect to the matter for which he/she will be retained under 11 U.S.C. § 327(e)

☐ Other; explain:

---

---

---

9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows:

---

---

Wherefore, the applicant respectfully requests authorization to employ the professional to render services in accordance with this application, with compensation to be paid as an administrative expense in such amounts as the Court may hereafter determine and allow.

Date: March 14, 2012

/s/ John M. McDonnell

Signature of Applicant

John M. McDonnell, Chapter 7 Trustee

Name of Applicant

and

**McDonnell Crowley, LLC**

*Counsel for John M. McDonnell,  
Chapter 7 Trustee*

By: /s/ Brian T. Crowley

Brian T. Crowley

**CERTIFICATE OF COMPLIANCE WITH D.N.J. LBR 2014-1(a)**

I have complied with D.N.J. LBR 2014-1(a) by mailing a copy of this application to all the following who did not receive electronic notice from the Court: the United States Trustee, the Debtors and/or Debtors's attorney, the Trustee (as applicable), the secured creditors, the Official Committees (as applicable), and others requesting notice, all of whose addresses are shown on the attached service list, by regular mail, postage prepaid, within one (1) day after filing with the Court.

Date: March 14, 2012

Signed: /s/ Brian T. Crowley  
Brian T. Crowley

**SERVICE LIST**

Martha R. Hildebrandt, Esq.  
Office of the United States Trustee  
One Newark Center, Suite 2100  
Newark, NJ 07102

John M. McDonnell, Trustee  
115 Maple Avenue, Suite 201  
Red Bank, New Jersey 07701

Donald Quigley, Esq.  
Quigley & Fayette, LLC  
1675 Whitehorse Mercerville Road  
Suite 204  
Hamilton, NJ 08619  
*Debtor's Counsel*

McDonnell Crowley, LLC  
115 Maple Avenue – Suite 201  
Red Bank, NJ 07701  
*Counsel to the Trustee*

**VIA FIRST CLASS MAIL**

William J. Speed, Accountant  
Speed Financial Services, Inc.  
99 Morris Avenue  
Springfield, NJ 07081  
*Accountant to the Trustee*

Robert J. Nahoum, Esq.  
99 Main Street – Suite 311  
Nyack, NY 10960  
*Proposed Special Counsel to the Trustee*

Thomas R. Smith, Esq.  
100 Nassau Park Boulevard  
Suite 111  
Princeton, New Jersey, 08540  
*Proposed Special Litigation Counsel to the Trustee*